



To the Mayor and Members of the City Council

April 19, 2016

Page 1 of 2

SUBJECT: RESIDENCY REQUIREMENT

At the request of the Mayor and Council, the Human Resources Department was asked to examine residency requirements and whether other municipalities offered any incentives for employees to live within their municipality. The review included a survey of regional and national municipalities and state and local code.

The survey included twenty-eight other municipal or county jurisdictions that included:

Regional Municipalities and Counties	National Municipalities
<ul style="list-style-type: none"> • Arlington, City of • Austin, City of • Dallas, City of • Dallas County • El Paso, City of • Garland, City of • Grand Prairie, City of • Houston, City of • Irving, City of • Mesquite, City of • Plano, City of • Richardson, City of • San Antonio, City of • Tarrant County 	<ul style="list-style-type: none"> • Charlotte, NC • Chicago, IL • Columbus, OH • Detroit, MI • Indianapolis, IN • Jacksonville, FL • Los Angeles, CA • New York, NY • Philadelphia, PA • Phoenix, AZ • San Diego, CA • San Francisco, CA • San Jose, CA • Seattle, WA

Of the twenty-four jurisdictions that replied, **none indicated that they provided any incentive to live in the city or county for which the employees worked.** The City of Philadelphia does require General and Fire employees to establish residency within city borders in a six-month period from time of appointment and Police Officer recruits within one year.

Additionally, in the case of some regional jurisdictions, residency was required for certain positions - typically, these were appointed or executive positions. The most extensive was Dallas County that included the budget officer, commissioners court administrator, elections administrator, director of health and human services, director of human resources/civil service department, chief medical examiner, director of the office of security and emergency management, director of public works, public defender, purchasing agent, fire marshal and assistant fire marshals and the veteran services officer.

However, Texas Local Government Code 150.021 specifically prohibits municipalities from requiring residency as a condition of employment except for those persons appointed by the mayor or governing body of the municipality. Chapter 2, Article V, Section 2-189 of the City Code

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follows state law by only requiring that the city manager, city attorney, city secretary, city auditor, parking bureau hearing officer or judges of the municipal courts reside within the city limits.

Finally, any effort to monetarily incentivize sworn personnel for residency would require the negotiation of a contract provision in order to avoid violation of the equal pay in a classification provision of Civil Service Law.

As a result of this research, staff does not recommend the implementation of residency incentives. If you have any additional questions, please contact Brian Dickerson, Human Resources Director, at 817.392.7783.

David Cooke
City Manager